

DATA PROTECTION AND PRIVACY POLICY

MTTC - My Tutor and Teaching Centre ("the Company") places a high premium on the privacy and personal information of our clients, employees, service providers, stakeholders, business partners and any other third-party with whom we engage or contract. The Company is therefore committed to ensure that it complies with the requirements of the Protection of Personal Information Act, 4 of 2013 ("POPIA") and other potentially applicable data protection and privacy laws.

1. DEFINITIONS

In this Policy (as defined below), unless the context requires otherwise, the following capitalised terms shall have the meanings given to them —

- 1.1 "Active Processing" refers to instances where the Company has directly been provided with the Personal Information/Personal Data of Data Subjects, such as when Data Subjects submit an enquiry in respect of the Company's products and/or services, or when Data Subjects provide Personal Information/Personal Data to the Company pursuant to concluding any commercial agreement(s) with the Company;
- 1.2 "Applicable Laws" mean any laws applicable to Personal Data and Personal Information and include any statute, regulation, notice, policy, directive, ruling or subordinate legislation; the common law; any binding court order, judgment or ruling; any applicable industry code, policy or standard enforceable by law; or any applicable direction, policy or order that is given by any regulator, competent authority or organ of state or statutory industry body;
- 1.3 "Child" means any natural person under the age of 18 years;
- 1.4 "Competent Person" means anyone who is legally competent to consent to any action or decision being taken by any matter concerning a child, for example a parent or legal guardian;
- 1.5 "Controller" means the Company, in circumstances where it Processes Personal Data;
- 1.6 "Cookies" means small text files that store either Non-personally Identifiable Information/Data or Personal Information/Personal Data about Data Subjects, either temporarily in connection with a Data Subjects Internet Protocol (IP) address (known as a temporary or session cookie and deleted once a Data Subject closes their browser window) or more permanently on the hard drive of a Data Subject's device or for purposes of updating the Website(s) settings (known as a permanent or persistent cookie, or flash cookies). The Company's Website(s) may from time to time make use of sessions, persistent or flash cookies so that Data Subjects do not have to fill in the same information from page to page within our Website(s) and to enhance any Data Subject's experience of the Company's Website. If Data Subjects elect not to receive cookies, they may be able to view some, but not all of the content on the Company's Website(s);
- 1.7 "Data Subject" means the Company's Clients or any Third-Party in respect of whom the Company Processes Personal Information/Personal Data;
- 1.8 "Dependant" means any individual who is financially dependent on a client, ie. Where the client could be a guardian or parent of a learner;
- 1.9 "Embedded Scripts" means, programming code that is designed to collect information about a Data Subject's interactions with the relevant Website(s). It is temporarily downloaded onto a Data Subject's device from the Company's web server or a Third-Party Operator.

This program is active only while a Data Subject is connected to the relevant Website(s) and is deleted or deactivated thereafter;

- 1.10 "Inactive Processing" refers to instances where the Company has not actively been provided with the Personal Information/Personal Data of Data Subjects, such as when the Company deploys Passive Processing Means to collect information from Data Subjects. These Passive Processing Means allow the Company to Process certain kinds of Non-personally Identifiable Data which can perhaps not be linked to Data Subjects;
- 1.11 "Client" means any natural person who has concluded an agreement with the Company in terms of which such Client enrolled a learner/s with the company;
- 1.12 "Mobile Device Identifier" means device information that can be identified when accessing the Company's Website or Mobile Application(s) through mobile devices. Certain features of the relevant Website(s) may require collection of mobile phone numbers and the Company may associate that phone number with the mobile device identifiers. Additionally, some mobile phone service providers operate systems that pinpoint the physical location of devices that use their service. Depending on the provider, the Company and/or our Third-Party Operators may receive this information. If the Company associates any such passively collected information with the Personal Information/Personal Data of Data Subjects, the Company will treat the combined information as Personal Information/Personal Data as contemplated in this Policy;
- 1.13 "Non-personally Identifiable Information/Data" means any information/data which cannot be linked to Data Subjects, such as an internet domain name, the type of web browser used by a Data Subject, the type of operating system relied on by a Data Subject, the date and time of a Data Subject's visit to the Company's Website, the specific pages a Data Subject may have visited, and the address of the website which a Data Subjects may have visited prior to entering or gaining access to the Company's Website
- 1.14 "Operator" means a person or entity who Processes Personal Information/Data for a Responsible Party;
- 1.15 "Passive Processing Means" means the use of technologies to facilitate the Inactive Processing of Personal Information/Personal Data, namely the use of Cookies, Web Beacons, Embedded Scripts and/or Mobile Device Identifiers;
- 1.16 "Personal Data" means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly;
- 1.17 "Personal Information" shall have the same meaning as is given in section 1 of POPIA;
- 1.18 "Policy" means this Data Protection and Privacy Policy;
- 1.19 "POPIA" means the Protection of Personal Information Act, No 4 of 2013;
- 1.20 "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information/Personal Data, including:

- 1.20.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- 1.20.2 dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
- 1.20.3 merging, linking, blocking, degradation, erasure or destruction. For the purposes of this definition, "Process" has a corresponding meaning and the terms "Processing" and "Process" shall include instances or activities of Active Processing, Inactive or Passive Processing of Personal Information/Personal Data and/or Non-Personally Identifiable Information/Data;
- 1.21 "Regulator(s)" means any applicable regulatory authority, including the Information Regulator established in terms of POPIA;
- 1.22 "Responsible Party" means in the context of this Policy, the Company;
- 1.23 "Company" means MTTC - My Tutor and Teaching Centre (Registration Number: 2007/222760/23), a private school registered with the Department of Education;
- 1.24 "Special Personal Information/Data" means Personal Information/Personal Data concerning, amongst other aspects contemplated in terms of section 26 Part B of POPIA, a Data Subject's religious beliefs, race or ethnic origin, trade union clientship, political persuasion, health or sex life, biometric data, or criminal behaviour;
- 1.25 "Third Party" means any employee, independent contractor, agent, consultant, broker, UMALUSI, SACAI, other educational authority, sub-contractor, Regulator(s), user of the Company's website or other representative of the Company;
- 1.26 "Website" means the website owned and operated by the Company sourced at www.mytutorcentre.co.za;
- 1.27 "Web Beacons" means small graphic images called web beacons, also known as "Internet tags" or "clear gifs," which Web Beacons may be deployed in the Company's Website pages and e-mail messages. Web beacons may be invisible to Data Subjects, but any electronic image inserted into a web page or e-mail can act as a Web Beacon. The Company may use web beacons or similar technologies for a number of purposes, including, without limitation, to count the number of visitors to its Website, to monitor how users navigate the Website to count how many e-mails that the Company has sent were actually opened or to count how many particular articles or links were actually viewed by Data Subjects in certain circumstances.

2. INTRODUCTION

- 2.1 This Policy regulates the Processing of Personal Information/Personal Data by the Company and sets forth the requirements with which the Company undertakes to comply when Processing Personal Information/Personal Data pursuant to undertaking its operations and fulfilling its contractual obligations in respect of Data Subjects and Third Parties in general.
- 2.2 The Company places a high premium on the privacy of every person or organisation with whom it interacts or engages and therefore acknowledges the need to ensure that

Personal Information/Personal Data is handled with a reasonable standard of care as may be expected from it. The Company is therefore committed to ensuring that it complies with the requirements of POPIA.

- 2.3 When a Data Subject or Third Party engages with the Company, whether physically or via any digital, electronic interface such as the Company's Website, the Data Subject or Third Party acknowledges that they trust the Company to Process their Personal Information/Personal Data, including the Personal Information/Personal Data of their dependants, beneficiaries or employees as the case may be.
- 2.4 When accessing MTTC's website, Data Subjects and Third Parties have the right to object to the processing of their Personal Information/Personal Data. It is voluntary to accept the Terms and Conditions to which this Policy relates. However, the Company does require the Data Subject or Third Party's acceptance to enable the proper use of the Company's Website.

3. PURPOSE AND APPLICATION

- 3.1 The purpose of this Policy is not only to inform Data Subjects about how the Company Processes their Personal Information/Personal Data, but also to establish a standard by which the Company and its employees and representatives shall comply in as far as the Processing of Personal Information/Personal Data is concerned.
- 3.2 The Company, in its capacity as a Responsible Party and/or Operator and/or Controller, as the case may be, shall observe and comply with its obligations under POPIA when it Processes Personal Information/Personal Data from or in respect of any Data Subject.

4. COLLECTING AND PROCESSING OF PERSONAL INFORMATION/PERSONAL DATA

- 4.1 Whenever any Data Subject completes an application form, contacts the Company electronically, or uses one of the products, services, facilities, tools or utilities offered by the Company through its Website, the Company will in effect be Processing the Data Subject's Personal Information/Personal Data.
- 4.2 It may be from time to time that the Company has collected a Data Subject's Personal Information/Personal Data from other sources. In the event that a Data Subject has shared their Personal Information/Personal Data with any Third Parties, the Company will not be responsible for any loss suffered by the Data Subject, their dependants, beneficiaries, spouse(s) or employees (as the case may be).

- 4.3 When a Data Subject provides the Company with the Personal Information of their dependant(s) either through the Website or on their clients' application, the Data Subject confirms having obtained consent to do so from their dependants, and the Company will process the Personal Information/Personal Data of such spouse(s) or dependant(s) in line with this Policy, as well as the terms and conditions to which this Policy relates.
- 4.4 The Company will Process Personal Information/Personal Data in order to facilitate and enhance the delivery of products and services to its Clients, foster a legally compliant workplace environment, as well as safeguard the Personal Information/Personal Data relating any Data Subjects which it in fact holds. In such an instance, the Data Subject providing the Company with such Personal Information/Personal Data will confirm that they are a Competent Person and that they have authority to give the requisite consent to enable the Company to process such Personal Information/Personal Data.
- 4.5 The Company undertakes to process any Personal Information/Personal Data in a manner which promotes the constitutional right to privacy, retains accountability and Data Subject participation. In supplementation of the above, the Company will process Personal Information/Personal Data for the following purposes:
- 4.5.1 To provide or manage any information, products and/or services requested by Data Subjects in general and our Clients;
 - 4.5.2 To establish a Data Subject's needs, wants and preferences in relation to the products and/or services provided by the Company;
 - 4.5.3 To help the Company identify Data Subjects when they contact the Company;
 - 4.5.4 To facilitate the delivery of products and/or services to Clients, including Disease Management;
 - 4.5.5 To administer claims and Client premiums;
 - 4.5.6 To activate policies or prescribed benefits;
 - 4.5.7 To allocate to Clients unique identifiers for the purpose of securely storing, retaining and recalling such Clients' Personal Information/Personal Data from time to time;
 - 4.5.8 To maintain records of Data Subjects and specifically Client records;
 - 4.5.9 To maintain Third-Party records;
 - 4.5.10 For recruitment purposes;
 - 4.5.11 For employment purposes;
 - 4.5.12 For apprenticeship purposes;
 - 4.5.13 For general administration purposes;
 - 4.5.14 For legal and/or contractual purposes;
 - 4.5.15 For health and safety purposes;
 - 4.5.16 To provide health and wellness information to the Company's employees and Clients;

- 4.5.17 To retain the records of brokers;
- 4.5.18 To monitor access, secure and manage any facilities owned or operated by the Company regardless of location in South Africa;
- 4.5.19 To transact with Third Parties;
- 4.5.20 To improve the quality of the Company's products and services;
- 4.5.21 To detect and prevent money laundering;
- 4.5.22 To analyse the Personal Information/Personal Data collected for research and statistical purposes;
- 4.5.23 To help recover bad debts;
- 4.5.24 To transfer Personal Information/Personal Data across the borders of South Africa to other jurisdiction if reasonably required;
- 4.5.25 To carry out analysis and Client profiling;
- 4.6 When collecting Personal Information/Personal Data from a Data Subject, the Company shall comply with the notification requirements as set out in Section 18 of POPIA.
- 4.7 The Company will collect and Process Personal Information/Personal Data in compliance with the conditions as set out in POPIA, to ensure that it protects the Data Subject's privacy.
- 4.8 The Company will not Process the Personal Information/Personal Data of a Data Subject for any purpose other than for the purposes set forth in this Policy, unless the Company is permitted or required to do so in terms of Applicable Laws or otherwise by law.
- 4.9 The Company may from time-to-time Process Personal Information/Personal Data by making use of automated means (without deploying any human intervention in the decision-making process) to make decisions about the Data Subject or their application. In this instance it is specifically recorded that the Data Subject may object to or query the outcomes of such a decision.

5. PERSONAL INFORMATION/PERSONAL DATA FOR DIRECT MARKETING PURPOSES

- 5.1 The Company acknowledges that it may only use Personal Information/Personal Data to contact Data Subjects for purposes of direct marketing where the Company has complied with the provisions of POPIA and when it is generally permissible to do so in terms of Applicable Laws.
- 5.2 The Company will ensure that a reasonable opportunity is given to all Data Subjects to object (opt-out) to the use of their Personal Information/Personal Data for the Company's marketing purposes when collecting the Personal Information/Personal Data and on the occasion of each communication to the Data Subject for purposes of direct marketing.

6. STORAGE AND RETENTION OF PERSONAL INFORMATION/PERSONAL DATA

- 6.1 The Company will retain Personal Information/Data it has Processed, in an electronic or hardcopy file format on its own accord and/or with a Third-Party service provider appointed for this purpose (the provisions of clause 9 below will apply in this regard).
- 6.2 Personal Information/Personal Data will only be retained by the Company for as long as necessary to fulfil the purposes for which that Personal Information/Personal Data was collected and/or as permitted in terms of Applicable Law.
- 6.3 It is specifically recorded that any Data Subject has the right to object to the Processing of their Personal Information and the Company shall retain and store the Data Subject's Personal Information/Personal Data for the purposes of dealing with such an objection or enquiry as soon and as swiftly as possible.
- 6.4 In amplification of the above, any Data Subject shall have the right to procure from the Company the erasure of any Personal Information/Personal Data concerning the Data Subject. Such erasure will be given effect as soon as possibly pursuant to such a request.

7. FAILURE TO PROVIDE PERSONAL INFORMATION

- 7.1 Where the Company is required to collect Personal Information/Personal Data from a Data Subject by law or in order to fulfil a legitimate business purpose of the Company and the Data Subject fails to provide such Personal Information/Personal Data, the Company may, on notice to the Data Subject, decline to render services without any liability to the Data Subject.

8. SECURING PERSONAL INFORMATION/PERSONAL DATA

- 8.1 The Company has implemented appropriate, reasonable, physical, organisational, contractual and technological security measures to secure the integrity and confidentiality of Personal Information/Personal Data, including measures to protect against the loss or theft, unauthorised access, disclosure, copying, use or modification of Personal Information/Personal Data in compliance with Applicable Laws.
- 8.2 In further compliance with Applicable Law, the Company will take steps to notify the relevant Regulator(s) and/or any affected Data Subjects in the event of a security breach and will provide such notification as soon as reasonably possible after becoming aware of any such breach.
- 8.3 Notwithstanding any other provisions of this Policy, it should be acknowledged that the

transmission of Personal Information/Personal Data, whether it be physically in person, via the internet or any other digital data transferring technology, is not completely secure. Although the Company has taken all appropriate, reasonable measures contemplated in clause 8.1 above to secure the integrity and confidentiality of the Personal Information/Personal Data it Processes, in order to guard against the loss of, damage to or unauthorised destruction of Personal Information/Personal Data and unlawful access to or processing of Personal Information/Personal Data, the Company in no way guarantees that its security system is completely secure or error free. Therefore, the Company does not guarantee the security or accuracy of the information (whether it be Personal Information/Personal Data or not) which it collects from any Data Subject.

- 8.4 Any transmission of Personal Information/Personal Data will be solely at the own risk of the Data Subject. Once the Company has received the Personal Information/Personal Data, it will deploy and use strict procedures and security features to try to prevent unauthorised access to it. As indicated above, the Company reiterates that it restricts access to Personal Information/Personal Data to Third Parties who have a legitimate operational reason for having access to such Personal Information/Personal Data. The Company also maintains electronic and procedural safeguards that comply with the Applicable Laws to protect the Data Subject's Personal Information from any unauthorised access.
- 8.5 The Company shall not be held responsible and by accepting the terms and conditions to which this Policy relates, any Data Subject agrees to indemnify and hold the Company harmless for any security breaches which may potentially expose the Personal Information/Personal Data in the Company's possession to unauthorised access and or the unlawful Processing of such Personal Information/Personal Data by any Third Party.

9. PROVISION OF PERSONAL INFORMATION/PERSONAL DATA TO THIRD PARTIES

- 9.1 The Company may disclose Personal Information/Personal Data to Third-Party service providers where necessary and to achieve the purpose(s) for which the Personal Information/Personal Data was originally collected and Processed. The Company will enter into written agreements with such Third-Party service providers to ensure that they comply with Applicable Laws pursuant to the Processing of Personal Information/Personal Data provided to it by the Company from time to time.
- 9.2 In as far as the provisions of the POPIA may be applicable to the Company's processing of Personal Information/Personal Data, the Data Subject has the right, to receive any Personal Information/Personal Data which the Data Subject has provided to the Company, in a structured, commonly used and machine- readable format, as well as to transmit that Personal Information/Personal Data to another

third party. Such transmittal shall be subject to the conditions set forth in Article 20 and any transfer of a Data Subject's Personal Information/Personal Data in this regard, will be subject to the Data Subject indemnifying the Company against any potential loss or damage which may be suffered by the Data Subject as a result of such transfer.

10. TRANSFER OF PERSONAL INFORMATION/PERSONAL DATA OUTSIDE OF SOUTH AFRICA

- 10.1 The Company may, under certain circumstances, transfer Personal Information/Personal Data to a jurisdiction outside of the Republic of South Africa in order to achieve the purpose(s) for which the Personal Information/Data was collected and Processed, including for Processing and storage by Third-Party service providers.
- 10.2 The Company will obtain the Data Subject's consent to transfer the Personal Information/Personal Data to such foreign jurisdiction unless consent is not required by Applicable Law.
- 10.3 The Data Subject should also take note that, where the Personal Information/Personal Data is transferred to a foreign jurisdiction, the Processing of Personal Information/Personal Data in the foreign jurisdiction may be subject to the laws of that foreign jurisdiction.

11. ACCESS TO PERSONAL INFORMATION/PERSONAL DATA

- 11.1 A Data Subject has the right to a copy of the Personal Information/Personal Data which is held by the Company (subject to a few limited exemptions as provided for under Applicable Law).
- 11.2 The Data Subject must make a written request (which can be by email) to the Information Officer designated by the Company from time to time.
- 11.3 The Company will provide the Data Subject with any such Personal Information/Personal Data to the extent required by Applicable Law.
- 11.4 The Data Subject can challenge the accuracy or completeness of his/her/its Personal Information/Personal Data in the Company's records.

12. KEEPING PERSONAL INFORMATION/PERSONAL DATA ACCURATE

- 12.1 The Company will take reasonable steps to ensure that Personal Information/Personal Data that it process is kept updated where reasonably possible.
- 12.2 The Company may not always expressly request the Data Subject to verify and update his/her/its Personal Information/Personal Data and expects that the Data Subject will notify the Company from time to time in writing:
 - 12.2.1 of any updates or amendments required in respect of his/her/its Personal Information/Personal Data;

- 12.2.2 where the Data Subject requires the Company to delete his/her/its Personal Information/Personal Data; or
- 12.2.3 where the Data Subject wishes to restrict the Processing of his/her/its Personal Information/Personal Data.

13. COSTS TO ACCESS PERSONAL INFORMATION/PERSONAL DATA

A fee could apply for copies of the Data Subject's Personal Information/Personal Data.

14. COMPLAINTS TO THE INFORMATION REGULATOR

- 14.1 In the event that any Data Subject or Third Party is of the view or belief that the Company has Processed their Personal Information/Personal Data in a manner or for a purpose which is contrary to the provisions of this Policy, the Data Subject is required to first attempt to resolve the matter directly with the Company, failing which the Data Subject or Third Party shall have the right to lodge a complaint with the Information Regulator, under the provisions of POPIA.
- 14.2 The contact particulars of the Information Regulator are:

The Information Regulator (South Africa)

Forum III 3rd Floor Braampark

PO Box 31533

Braamfontein, Johannesburg, 2107

Mr. Marks Thibela

Chief Executive Officer

Tel No: +27 010 023 5207

Cell No: 082 746 4173

E-mail: infoereg@justice.gov.za

15. CONTACTING US

All comments, questions, concerns or complaints regarding Personal Information/Personal Data or this Policy should be emailed to the Company's Information Officer at info@mytutorcentre.co.za.